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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,665	09/17/2003	Chen-Hung Hung	BHT-3107-125	2470

7590 03/24/2005
Troxell Law Office PLLC
Suite 1404
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EXAMINER

KIANNI, KAVEH C

ART UNIT	PAPER NUMBER
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2883

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/663,665	Applicant(s) HUNG, CHEN-HUNG	
	Examiner Kianni C. Kaveh	Art Unit 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers


- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 September 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | | |
|--|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) |  | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "I" has been used to designate both slope and bundle of optical fibers. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 2-3 depend on claim 1 and therefore they are also rejected.

Claim 1 is indefinite, ambiguous and confusing as to whether "aligning light" is inserted into the bore or a connector is inserted into the bore or an alignment device is inserted into the bore, while the applicant has indicated that all the above transmitter/receiving module including a light source 20 and receiver 21 are integral parts of an alignment device shown in figure 6. And as a result, there is a weak/vague connection between the limitation elements in the first paragraph of claim 1 and those of the second paragraph of the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. (US 6425696).

Regarding claim 1, Peterson teaches a body assembly of light receiving/transmission module (shown in at least fig. 3), comprising: a sleeve (see fig. 2, item 42) comprising a bore (see fig. 2, item sleeve 42 having through hole/bore); and a coupling 40 comprising an upper part 48, a lower part 50, a hole through the upper and the lower parts 50 (see fig. 2, item through hole of coupling 40), and optical fiber fitted in the hole (see fig. 3, item fiber through the hole), whereby

aligning light in an optical connector 64 of an alignment device inserted in the bore 76 with optical fiber will align the sleeve with the coupling 40 prior to being formed together (shown in fig. 3 and 8, items formation of alignment system of transceiver module; wherein, alignment parts of the alignment device being accomplished prior to being forming together as shown in the figures; see at least col. 1, lines 59-670). However, in above embodiment, Peterson does not specifically teach wherein the above optical fiber being bundle of optical fibers. Nevertheless, such limitation is taught by Peterson in another embodiment (see fig. 1, item fiber cable and col. 2, 4th parag.). Thus, it would have been obvious to insert into the above coupler a plurality of fibers rather than "an" optical fiber since the embodiments of Peterson are used together and are compatible with each other and since such optical coupling would provide a light receiving/transmission module with improved capabilities with minimized damage to the optical fibers at the time of insertion process (see col. 2, lines 10-14).

Regarding claim 2, Peterson teaches, wherein the upper part of the coupling comprises a top projection received in the bore (see at least figure 3 item projection part such as 54 is being inserted into the bore of sleeve 42).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over combination of Peterson et al. and Jiang et al. (US 5857050).

Regarding claim 3, Peterson, as stated above, teaches all limitations that claim 3 depends on. Peterson further teaches the coupling device having various slopes (see

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at least col. 3, 1st parag.). However, Peterson does not specifically teach wherein the lower part of the coupling comprises a bottom slope. This limitation is more specifically taught by Jiang et al. Jiang et al. teaches a light receiving/transmission module that has a coupling 105 that comprises a bottom slope 107 (see fig. 1, item 107). Thus, it would have been obvious to a person of ordinary skill in the art when the invention was made to fabricate the coupling 40 of Peterson having slopped bottom using Jiang teachings or replace the coupler of Peterson with that of Jiang since such extremely conventional coupling would minimize the light back reflection and thus improve signal to noise ratio.

Citation of Relevant Prior Art

Prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In accordance with MPEP 707.05 the following references are pertinent in rejection of this application since they provide substantially the same information disclosure as this patent does. These references are:

Borsuk 4215937

Williams 6641310

O'Rourke et al. 6292610

Dhadwal 5155549

Hellman et al. 2002/0063832

Gurevich et al. 20030152336

Tehrani 6438288

Dair et al. 2002/0030872

These references are cited herein to show the relevance of the apparatus/methods taught within these references as prior art.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to K. Cyrus Kianni whose telephone number is (571) 272-2417.

The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 6:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font, can be reached at (571) 272-2415.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306 (for formal communications intended for entry)

or:

Hand delivered responses should be brought to Crystal Plaza 4, 2021 South Clark Place, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to be 'K. Kianni', followed by a long horizontal line.

K. Cyrus Kianni
Patent Examiner
Group Art Unit 2883

March 18, 2005